

## FOURTH DAY

(Thursday, August 30, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holloway.
Adamson.	Hoskins.
Aikin.	Huddleston.
Alexander.	Hughes.
Alsup.	Hunt.
Atchison.	Hunter.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bergman.	Johnson
Bourne.	of Anderson.
Bradley.	Jones of Atascosa.
Burns.	Jones of Runnels.
Butler.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Laird.
Caven.	Lange.
Celaya.	Latham.
Chastain.	Lemens.
Clayton.	Leonard.
Colson.	Lindsey.
Coombes.	Long.
Cowley.	Lotief.
Crossley.	Mackay.
Daniel.	Magee.
Davidson.	McCullough.
Dean.	McGregor.
Devall.	McKee.
Dunlap.	Merritt.
Dunagan.	Metcalfe.
Duvall.	Mitcham.
Dwyer.	Moffett.
Engelhard.	Moore.
Fain.	Morrison.
Fisher.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Renfro.
Hicks.	Riddle.
Hill.	Roark.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	

Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Thomas.
Russell.	Tillery.
Savage.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Shannon.	Vaughan.
Shults.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Winningham.
Stinson.	Wood.
Stovall	Young.
Stubbeman.	

## Absent—Excused

Anderson.	Mathis.
Baker.	McDougald.
Harrison.	Reader.
Hester.	Wagstaff.
Johnson	
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Reader and Mr. Anderson for today, on motion of Mr. Kayton.

Mr. Baker for today, on motion of Mr. Engelhard.

Mr. Wagstaff for today, on motion of Mr. Aikin.

Mr. Harrison for today and tomorrow, on motion of Mr. Barron.

Mr. McDougald for today, on motion of Mr. Parkhouse.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Kayton:

H. B. No. 6, A bill to be entitled "An Act making an emergency appropriation of money to the State Treasurer; providing means to employ two or more clerks, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Stovall:

H. B. No. 7, A bill to be entitled "An Act providing for a closed season

in Ellis County, Texas, upon quail and foxes for a period of five years; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hunt:

H. B. No. 8, A bill to be entitled "An Act declaring a five (5) year closed season on wild fox in certain counties; providing for violation of this Act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Pope:

H. B. No. 9, A bill to be entitled "An Act to amend Section 6-a, of Section 27, of the General Laws of the Forty-third Legislature, First Called Session, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof, in the transportation of his poultry, dairy, live stock and farm products, grown or produced by him, to market or to other points, for sale or processing, and for the transportation of laborers from their place of residence, and materials, tools, equipment, and supplies, without charge, by the owner of such commercial motor vehicle from place of purchase or storage to his own farm or ranch for his exclusive use or use on such farm, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Duvall, Mr. Shannon, Mr. Hartzog, and Mr. Renfro:

H. B. No. 10, A bill to be entitled "An Act ratifying, confirming, and validating bond and tax elections and the proceedings therein and preliminary thereto, and the bonds issued or to be issued in pursuance thereof, and the tax levies made and to be made for the payment of such bonds in cases where such bond and tax election has heretofore been held in any independent school district (created by Special Act), and where the proposition for the issuance of such bonds and the levying of such tax has carried at such election, and where the proceedings for such election were irregular or defective in that no petition, or no legally sufficient petition, was filed requesting the ordering of such election, or in that the order or resolution of the board of trustees or

board of education or other governing body, calling such election, and the notice given of such election, and the proposition submitted at such election for the issuance of bonds, either or all, did not specify or distinctly specify the maturity dates of the bonds to be issued, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Parkhouse:

H. B. No. 11, A bill to be entitled "An Act granting Sam Tobolowsky and James A. Gripeotis permission to bring suit against the State of Texas and State Highway Department, and declaring an emergency."

Referred to Committee on State Affairs.

### BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolution:

H. B. No. 2, "An Act making an appropriation of the sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of Members and the per diem of officers and employees of the Third Called Session of the Forty-third Legislature, and declaring an emergency."

H. C. R. No. 5, Providing for a Joint Session of the House and Senate for the purpose of hearing addresses in regard to relief work in Texas.

### MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, Secretary to the Governor, appeared at the Bar of the House, and being duly announced, presented a message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, August 30, 1934.

To the Members of the Forty-third Legislature in Third Called Session:

By request, I hereby submit for your consideration a bill hereto attached, to be entitled

"An Act validating certain bonds

and the tax levies made for the payment thereof issued by certain independent school districts (created by Special Act) where the proceedings for the election to issue such bonds and levy such tax were irregular or defective, in that no petition or legally sufficient petition was filed requesting such election, or where the order or resolution of the governing body calling such election, and the notice given of such election, did not specify the maturity dates of the bonds to be issued, and declaring an emergency."

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor of Texas.

#### RELATIVE TO THE EXPENDITURE OF RELIEF FUNDS IN TEXAS

The Speaker laid before the House, as unfinished business, for consideration at this time, a resolution heretofore offered by Mr. Hunter, relative to the expenditure of relief funds in Texas, with substitute offered by Mr. Kayton and motion by Mr. Long that the resolutions be laid on the table subject to call, pending.

Mr. Long withdrew the pending motion.

Mr. Rogers of Ochiltree moved that the resolutions be laid on the table subject to call.

The motion was lost.

Question then recurring on the substitute resolution offered by Mr. Kayton, it was adopted.

The resolution as substituted was adopted.

#### BILL RE-COMMITTED

Mr. Kayton moved that House Bill No. 1 be re-committed to the Committee of the Whole House.

The motion prevailed.

#### ADDRESS BY HON. JAMES V. ALLRED

Hon. James V. Allred, having been introduced by Speaker Stevenson, addressed the House briefly.

#### RELATIVE TO TAXATION ON MARINE PRODUCTS

Mr. Jefferson offered the following resolution:

Whereas, There exists today, on the Texas coast, considerable dissatisfac-

tion relative to the system of taxation on marine products; and

Whereas, There is considerable confusion in the State relative to open and closed waters on the Texas coast, and with reference to local and special game laws; and

Whereas, It is the belief, of the members of the Committee on Game and Fisheries, and many of the Members of the House of Representatives, that these conditions could be more ideally regulated by a thorough and proper survey of the situation; and

Whereas, The Game, Fish and Oyster Commission is in accord with this plan; therefore, be it

Resolved, That the Speaker of the House be instructed to appoint a committee of five from the House of Representatives to make such survey, and that said committee be authorized to work with the Game, Fish and Oyster Commission, and submit its report to the House of Representatives at some Called Session or at the next Regular Session of the Legislature; and, be it further

Resolved, That the Committee be limited in expenses to not exceed \$1,500, and the expenses of the Committee be paid out of the Special Game Fund; the expense account of each member of said Committee shall be sworn to and approved by the executive secretary of the Game, Fish and Oyster Commission before warrant is issued by the Comptroller.

Signed—Jefferson, Roberts, Hartzog, Bedford, Morse, Holland, Moore, Holekamp, Hill, Harrison, Barron, Barrett, Hoskins, Merritt, Pope, Celaya, Mackay, McKee, Nicholson, Russell, Atchison, Head, Fuchs, Puryear, Rogers of Hunt, Devall, and Holloway.

The resolution was read second time.

Mr. Van Zandt raised a point of order on further consideration of the resolution, on the ground that the resolution seeks to make an appropriation.

The Speaker sustained the point of order.

#### INVITING NEWLY-ELECTED MEMBERS TO ADDRESS THE HOUSE

Mr. Clayton offered the following resolution:

Whereas, There are now present in the House, or comfortably established

in the lobbies and reception rooms, a goodly number of newly elected Members to the House of Representatives, who are confidently expecting to be seated in January, 1935; and

Whereas, These newly elected Representatives would be able to serve their State and their constituents with much more ease and efficiency were they now allowed to overcome their natural reticence at appearing before the microphone of this House for the first time; and

Whereas, It would be a source of great pleasure to those Representatives who find themselves in the enviable position of returning again to the House of Representatives in January, 1935; now, therefore, be it

Resolved, That these newly elected Representatives who are waiting so impatiently an opportunity to become one of us, be cordially invited upon the floor of the House to address this honorable body.

CLAYTON,  
BUTLER,  
MITCHAM,  
BOURNE.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker introduced the following Members-elect of the Forty-fourth Legislature, who addressed the House briefly:

Hon. Gus Herzik of LaGrange, Hon. Fred Mauritz of Ganado, Hon. Tom P. Cooper, Jr., of Lindale, Hon. Roy Hofheinz of Houston, Hon. Jap Lucas of Athens, Hon. A. P. Cagle of Waco, Hon. Edgar S. Keefe of Frankston.

Hon. E. B. Davis, Senator-elect of Brown County, was introduced, and addressed the House.

#### ADDRESS BY HON. MAURY MAVERICK

Mr. Jefferson offered the following resolution:

Whereas, The Hon. Maury Maverick, Democratic nominee from the Twentieth Congressional District, is in the Capitol Building; therefore, be it

Resolved, That he be extended the courtesy of the House of Representatives, and privileged to speak.

The resolution was read second time, and was adopted.

In accordance with the above ac-

tion, Speaker Stevenson presented Hon. Pat Jefferson of Bexar County.

Mr. Jefferson introduced Hon. Maury Maverick.

Mr. Maverick then addressed the House.

#### ADJOURNMENT

Mr. Parkhouse moved that the House recess to 2 o'clock p. m., today.

Mr. Leonard moved that the House adjourn until 10 o'clock a. m., tomorrow.

The motion of Mr. Leonard prevailed, and the House, accordingly, at 11:45 o'clock a. m., adjourned until 10 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The Committee on State Affairs filed a favorable report on House Bill No. 1.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, August 29, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 2, "An Act making an appropriation of the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of Members and the per diem of officers and employes of the Third Called Session of the Forty-third Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,

Austin, Texas, August 29, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir. Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 5, Requesting Adam

Johnson, Mr. Strauss, and Mr. Hager of the Relief Commission to address a Joint Session of the House and Senate,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

### FIFTH DAY

(Friday, August 31, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Harman.
Adamson.	Harris.
Aikin.	Hartzog.
Alexander.	Head.
Alsup.	Hicks.
Atchison.	Hill.
Baker.	Hodges.
Barrett.	Holekamp.
Barron.	Holland.
Beck.	Hoskins.
Bedford.	Huddleston.
Bergman.	Hughes.
Bourne.	Hunt.
Bradley.	Hunter.
Burns.	Hyder.
Butler.	Jackson.
Calvert.	James.
Camp.	Jefferson.
Canon.	Johnson
Caven.	of Anderson.
Celaya.	Jones of Atascosa.
Chastain.	Jones of Shelby.
Clayton.	Kayton.
Colson.	Kyle of Hays.
Cowley.	Kyle of Palo Pinto.
Crossley.	Laird.
Daniel.	Lange.
Davidson.	Latham.
Dean.	Lemens.
Devall.	Leonard.
Dunlap.	Lindsey.
Dunagan.	Long.
Duvall.	Lotief.
Dwyer.	Mackay.
Engelhard.	Magee.
Fain.	Mathis.
Fisher.	McCullough.
Ford.	Merritt.
Fuchs.	Metcalf.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Moore.
Goodman.	Morrison.
Graves.	Morse.
Greathouse.	Munson.
Griffith.	Nicholson.
Hankamer.	Palmer.

Parkhouse.	Shannon.
Patterson.	Shults.
Pavlica.	Smith.
Pope.	Stanfield.
Purveyar.	Steward.
Ramsey.	Stinson.
Ratliff.	Stovall.
Ray.	Stubbeman.
Reader.	Tarwater.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Thomas.
Renfro.	Tillery.
Riddle.	Townsend.
Roark.	Turlington.
Roberts.	Van Zandt.
Rogers of Hunt.	Vaughan.
Rogers	Wagstaff.
of Ochiltree.	Walker.
Rollins.	Weinert.
Russell.	Wells.
Savage.	Winningham.
Scarborough.	Wood.
Scott.	Young.

#### Absent

Cathey.	McGregor.
Jones of Runnels.	

#### Absent—Excused

Anderson.	Johnson
Coombes.	of Dimmit.
Harrison.	McDougald.
Hester.	McKee.
Holloway.	

A quorum was announced present.  
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McKee for today and tomorrow, on motion of Speaker Stevenson.

Mr. Coombes for today, on motion of Mr. Good.

Mr. Holloway for today, on motion of Mr. Latham.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Moffett, Mr. Alexander, and Mr. Rogers of Ochiltree:

H. B. No. 12, A bill to be entitled "An Act to extend the time for the payment of notes or obligations executed prior to November 1, 1901, by purchasers of school land for the un-